

MAN AND WIFE FREE OF MURDER CHARGE.

Cheers Greet Verdict Which Liberates Fred and Fay Magill.

Will Return to City In Which They Were Arrested.

Deatur, Ill., Oct. 19.—Fred Magill and his wife, Fay, were discharged this afternoon on the murder charge resting against them of having killed Mrs. Pet Magill, on Decoration Day last.

hands. Some stamped the flooring with their French heeled shoes. Miss Marguerite Magill couldn't conceal her joy. She alternately wept and laughed.

"We will go back to San Diego, where we were so cruelly arrested last July, immediately after our wedding, and begin our honeymoon all over again, start in where it was left off."

JURY AWARDED \$2,000 IN LAING VS. WALDO.

Assize Court Wound Up To-day and Judge Falconbridge Goes to Bracebridge.

At the Assizes yesterday afternoon the jury on the case of William Curtis vs. the Michigan Central Railway brought in a verdict of \$1,200 for the plaintiff, but it was undecided as to whether the company was negligent in the action.

street south. Mr. Gordon keeps a butcher shop, and while the pipe line company was laying the pipes, gas escaped, causing an explosion, which did great damage. The case was going on at press time. McClelland & Bicknell for the plaintiff, and Nesbitt, Gaud & Dickson for the defendants.

The cost of the petit jury for the present Assizes will be the largest in many years, \$1,140.00. The grand jury costs will amount to \$163.60.

The jury in the case of Laing vs. Waldo, an action to assess the damages for the seduction of the daughter of Mr. John Laing, was instructed to bring a sealed verdict. The jury assessed the damages at \$2,000. Mr. J. G. Farmer appeared for the plaintiff.

YOUNG GIRL'S SAD DELUSION.

THINKS SHE IS LEADING LADY IN MANSFIELD'S COMPANY.

And That the Actor is in Love With Her—Will Try to Shock Her Out of the Delusion—Will Tell Her Mansfield is Dead and Show Her Photo of Grave.

Waverly, Mass., Oct. 19.—An interesting experiment will be attempted at the McLean Insane Hospital within a few days, in hopes of curing the delusions of a young Boston woman, who imagines herself to be the leading woman in Richard Mansfield's company, and that the actor is in love with her.

DOWN AND OUT.

Telegraphers' President Looking for Another Job.

Chicago, Oct. 19.—Sylvester Small, suspended president of the Commercial Telegraphers' Union, last night announced his retirement from office and from the union. He said: "I am down and out, and will not make any further attempt to recover my position. I will look for a job next week."

\$800 DAMAGE

Done by Fire at Stable on Cathcart Street.

An early morning fire to-day in a brick stable at 79 Cathcart street did \$800 damage. The cause is unknown. In the stable there were four or five horses and one, a very valuable one, belonged to the owner of the stable, Mrs. C. G. Kelly. This horse, with a lot of harness, was destroyed. The firemen had a hard fight with the flames, as the wood piled hay in the barn burned fiercely.

Some stranger turned in an alarm when he saw oil flames issuing from the cupola of the singeing department at Fearman's factory last night.

The Hamilton Cribbage Club will hold its meeting in the Liberal Club rooms on Monday night, instead of Thursday evening. All cribbage players are invited. Checker games on Tuesday evening.

THE MERCANTILE.

Efforts Made to Straighten Out Bank's Affairs.

New York, Oct. 19.—A perplexing financial situation to-day faced the bankers and financiers who are trying to straighten out the affairs of the Mercantile National Bank and to divorce it completely from any association with F. Augustus Heinze, its former president. With the resignation of its entire board of directors in the hands of the clearing house, that institution appeared to control the situation, and was committed to the task of putting the bank on a firm footing. For this purpose nine clearing house banks had promised to contribute \$200,000 each, a total of \$1,800,000, to tide the Mercantile Bank over any distress which is might encounter as a result of the suspension of Otto Heinze & Co. and F. Augustus Heinze, and its efforts to re-establish that firm.

Public interest in the situation lay in the action to be taken by comptroller of the currency, William B. Ridgely, whose acceptance of the presidency of the Mercantile was still in doubt. It was understood everywhere that Mr. Ridgely's decision depended upon whether he would be allowed a free hand to organize the bank, and whether he would secure the support of men whom he desired to back him in the task.

HAMILTON STORE DOING GOOD BUSINESS.

Right House Values Attracting Thousands.

The Right House, Hamilton's oldest, largest and popular store, has inaugurated a very aggressive value-giving policy during the past year.

The business has increased by leaps and bounds, and out of all proportion to the expectations of the firm. The vast assortments and the remarkable values offered at Thomas C. Watkins, together with intelligent and truthful newspaper advertising, are reaping their reward in the great increase in business and popularity.

People know that Right House sales are genuine and merit immediate attention. They know, too, that Right House values are always to be depended upon.

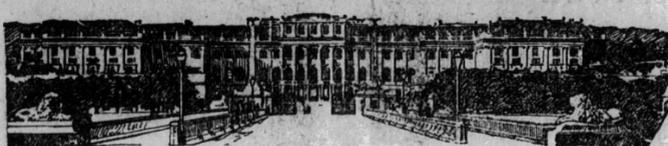
Every person with a need in carpets, rugs, curtains or bedding should read the big Right House advertisement in to-night's papers.

SAFETY DEPOSIT BOXES.

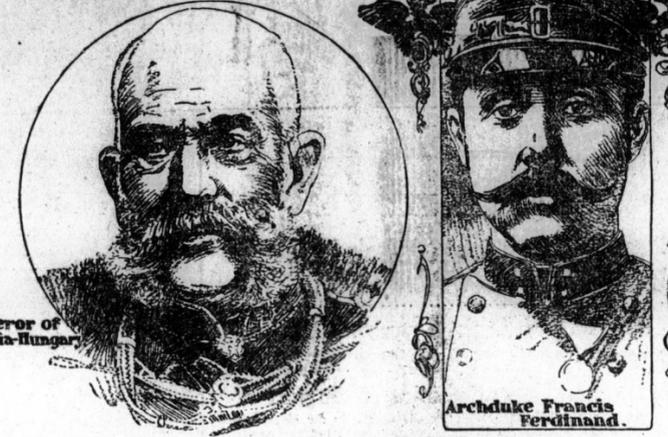
To rent at \$2 a year and upwards, for the storing of deeds, bonds, stocks, wills, silver and other valuables, at the TRADERS BANK OF CANADA.

A Popular Briar Pipe.

For those who want a reliable pipe at a moderate price there is nothing to compare with the Vanguard pipes. They are made in England and sold at peace's pipe store, 107 King street east.



Schonbrunn, Imperial Palace Near Vienna.



FRANCIS JOSEPH AND ARCHDUKE FRANCIS FERDINAND, THE HEIR APPARENT TO THE AUSTRIAN THRONE.

HE WANTS PIE.

Jake Sunfield Doesnot Like the Jail Bill of Fare.

Mr. J. L. Counsell paid a visit to Jake Sunfield at the jail yesterday afternoon and had a short talk with the man who is condemned to die for the murder of Andrew Radeyk. He says Sunfield is still hopeful of his relatives coming forward with the money required for an appeal for a new trial. Jake, he said, had strong hopes that the recommendation of the jury for mercy, will be acted upon if an appeal fails.

Sunfield has not yet become resigned to the jail bill-of-fare, as provided for prisoners found guilty of a charge. Prisoners sentenced to be hanged are permitted to receive dainties from outside the jail, but they must pay for them themselves unless they have friends who will send them. So far the only thing that Sunfield has longed for sufficiently to open his purse is pie. He has had the officials buy a pie for him two or three times.

EMPEROR IMPROVING.

Physicians Were Worried but Had Not Lost Hope.

To-day, However, His Condition is More Favorable.

Vienna, Oct. 19.—Emperor Francis Joseph is losing strength. Reports from the royal sick room to-day state that the Emperor passed a restless night on account of severe coughing. His catarrh is worse, but there has been an absence of fever since yesterday. In defiance of the order of his physicians, the Emperor insists on doing a certain amount of work each day. This morning he arose earlier than usual and weaker than yesterday. His cough was violent and there was no expectation of it. His appetite continues good, and this leads the doctors to hope that he may overcome his present weakness.

His condition in general is one that requires the greatest care. The Emperor declares that he has only a cold in the head and that a trifling matter like that must not be considered by an old soldier.

Vienna, Oct. 19.—The reports of the condition of the health of Emperor Francis Joseph were more favorable this morning than yesterday. His majesty passed a quiet night, without fever, and after administration of a soporific, his coughing somewhat diminished. The catarrhal inflammation is stationary.

The Emperor rose at his usual hour and to-day will be permitted to take his first walk, since his illness, in the heated palace galleries.

WILL BE ACTIVE.

Citizens' League Will be Heard From Again Soon.

The Citizens' League, which made things stir last season, and brought about a number of prosecutions, which resulted in numerous convictions, purposes keeping up its active campaign during the approaching winter. The executive had its regular monthly meeting last night and discussed plans. The officers were not in a position this morning to announce what their intentions were, but stated that they would be heard from again before very long.

The executive has arranged to have Rev. Canon Cody give an address in the Conservatory of Music Hall on the evening of November 15th, on "The Ethics of Gambling."

VOTE OF CENSURE

Passed on Ald. Anderson by the Trades Council.

At last night's meeting of the Trades and Labor Council a vote of censure was passed on one of the Labor aldermen—Wm. Anderson—for opposing the resolution in the City Council providing for the printing of the assessment rolls. Some of the members expressed the opinion that the printing of the rolls would be worth many thousands of dollars to the city. The suggestion was made that a subscription list be passed around to raise money to print the rolls.

It was stated at the meeting that the assessors had not assessed thousands of dollars' worth of automobiles.

The resignation of Chas. Condon as trustee of the council was accepted, and Mr. Chas. Egget was appointed to the position. Mr. Chas. Layland was added to the Municipal Committee.

Joe Marks, of London, addressed the council in behalf of the Labor candidate in the London by-election. A substantial grant was made to his campaign fund.

Miss Bertha Huxtable, James street north, has gone to California to reside.

Sarnia Observer: Mrs. W. H. Belkard, of Hamilton, will spend some time with her sister, Mrs. D. N. Morrison.

The Man In Overalls

Will it be cheers or tears this aft?

Let the flags float for the Lieutenant-Governor.

Raw, Raw, Raw meat for the Tigers!

The 20th Century Club was opened with a corkscrew last evening.

The Dundurn bears will miss Sam Weaver.

If you want to keep posted read the Times.

Will the wireless telephone be the next?

The North End Improvement Society is afraid John Patterson may slip up some night in his stocking feet and move the pegs in Dundurn.

Surely Col. Gibson won't leave the city at the mercy of the cut throats from Toronto. We'll all be massacred.

Will there be any trouble renewing the insurance on the sandusucker?

They say Joe Downey was about as funny as a hired mounjer at a funeral at the 20th Century Club blow-out last night.

The Parks Board won't have far to look for a Parks Superintendent. Mr. Kilvington is right here.

The boosting of prices has a limit. When things get too dear people stop using them. Price doesn't count when there are no sales.

Wireless messages are comparatively new, but brainless men are an old story.

Sam Weaver misses Frank.

Just as well that the 20th Century Club didn't get that license.

Leader MacKay will be here on the 2nd. Keep the date open.

Hugh Clark has two kinds of jokes. The kind he gets out of the almanac, and the kind he gets out of the patent medicine pamphlets.

Geo. Will's wild statements made Sam Weaver wild.

CARE OF YOUR HORSE.

The cold weather and slippery streets will soon be here, and it will be the duty of all those who have the care of horses to see that they are properly protected from the weather and shod so that they will have confidence in themselves when walking on the icy streets. The horse, one of man's most useful and docile friends, has a nervous temperament almost as high strung and delicate as that of a woman, and to secure its confidence, great care need be used in its management. The Pennsylvania Society for the Prevention of Cruelty to Animals has issued the following "Don'ts for Drivers of Horses," and they are so sensible and so important that I think I could not do better than fill this space this week with them. They are as follows:

Don't use cold bits in cold weather. Your horse's tongue is tender, and his mouth is formed of delicate glands and tissues.

Don't clip your horse when the mercury is at the freezing point.

Don't fail to blanket your horse when he stands in the cold.

Don't fail to keep your horse's shoes sharp when the streets are slippery.

Don't keep your horse in an overheated stable, then stand him for hours in a freezing atmosphere and wonder why he becomes paralyzed.

Don't fail to water your horse the first thing in the morning, but not with ice water.

Don't load your horse too heavily when the streets and roads are blocked with snow.

Don't try to convince your horse that he is on skates when his feet strike the slippery asphalt. Go slow, my son.

Don't fail to oil your wagon axles.

NELLIGAN TO BRING ACTION FOR LIBEL.

Ward Foreman Will Sue Officers of the Trades and Labor Council.

Dr. Roberts is Not at All Afraid of Oakville Smallpox Outbreak.

Sensational developments are promised within the course of a week or so over the Nelligan case, which has been creating quite a stir in municipal circles. It was announced this morning that Ward Foreman Nelligan had placed the matter in the hands of his lawyer, and that writs, charging libel, would be issued against officials of the Trades and Labor Council and others who have made statements in the case, which Mr. Nelligan considers damaging to his character. The writs, it is promised, will be issued as soon as the charges are laid before the committee or County Judge. There was some talk of the Trades and Labor people proceeding with the case before the Board of Works at its next meeting, but Chairman Sweeney said he had received no communication up till noon to-day. If the matter comes up on Tuesday night, Mr. Nelligan will have a stenographer present to report the proceedings. Mr. Nelligan and his friends are greatly incensed at the action of the Trades and Labor people in keeping the charges hanging over his head so long. They say there has been sufficient time to proceed, but there has been no disposition to make a move. The trouble began some weeks ago when a man, named John O'Neill, applied at the Board of Works office for work. Secretary Brennan understood the man was working, as his name was on the pay roll. Mr. Nelligan had been away at Windsor for two or three days, and when he returned he made an explanation satisfactory to the committee. On the morning he was going away he sent word to O'Neill to go to work, and naturally supposed that he had done so.

trated at Hamilton. There is only one case here now, he says, the one on Birch avenue.

Dr. Roberts, Medical Health Officer, and Chairman Quinn have returned from Buffalo, where they attended the convention of the Sanitary Officers of New York State. Filtration, the doctor says, was given a big "boost" at the convention, nearly all of the delegates present favoring it. The convention was almost unanimously in favor of a rigid medical examination at all public schools.

At one of the packing houses in Buffalo visited by Dr. Roberts yesterday the government inspector told him he had rejected as many as three hundred hogs in less than a week on account of tuberculosis. The doctor considers this one of the great dangers in spreading consumption. It is only recently inspectors were appointed for the local packing houses.

Officials for the Board of Works say that the electric light for the Ferris street bridge, which the north enders complained about at the meeting the other night, was ordered over two weeks ago, and that the delay is in getting the iron hanger.

F. S. Depey was granted a permit this morning for a brick house on Arthur street, between King and Wilson streets, for A. Kellett, to cost \$2,000.

The Board of Health report for the week shows five cases of scarlet fever, two of typhoid fever and six of diphtheria.

The Sewers Committee inspected the mountain drain yesterday afternoon, and the members expressed themselves quite pleased with the work, especially the rock excavations at the east end.

The Markets Committee will meet on Monday night.

When the assessment officials were asked to-day about the complaint of the Trades and Labor Council last evening that automobiles to the value of many thousands of dollars had escaped assessment, they explained that under the law it was impossible now to assess these as personal property. Previous to 1904 all autos, carriages, etc., were assessed as personal property, but there is no provision for such assessment now.

Relief Officer McMenemy has received an anonymous communication calling his attention to a sad case on a factory street, where the father of a family of several small children is said to be suffering from consumption. He will investigate it at once.

It looks as if the Cataract Company and city were in another tangle over the work on Main street being done by the Bradford & Hamilton Railway. General Manager Hawkins wrote Secretary Brennan of the Board of Works a letter in reference to the asphaltting of the city of the street from James to Hughson. Mr. Hawkins says his understanding was, and the company had been proceeding along that line, that the work from James to the Terminal Station was to be left over until the spring, except the bricks between the outer rails, the road to be made usable with the old macadam which would be taken out in the spring.

Mr. Bowman, acting on instructions, despatched a reply post haste saying that he knew of no arrangement to have the work over until spring, and that there was no mention of it in the agreement. In fact the agreement provides for the completion of the work forthwith and one paragraph says that no cars shall be operated there until the construction work is completed. Mr. Brennan adds in his letter that the work between James and Hughson streets should be completed without delay, as it interferes greatly with traffic in the present condition.

FROM BAFFIN LAND.

Dr. Peck, a Celebrated Missionary in Hamilton.

Hamilton is to be favored with a visit from a celebrated man to-morrow. That man is Rev. Dr. E. J. Peck, a missionary whose field is in the farthest north covered by any worker in the cause of the Master. Dr. Peck has been for 30 years in the mission work around Baffin Land, that large island territory so far north of Hudson's Bay that only an occasional explorer or an earnest missionary ever thinks of visiting it. Over its broad and frozen wastes Dr. Peck has traveled, carrying the word of God to its widely scattered people. It was to Dr. Peck that Bishop Lothian went as a missionary, many years ago, and with whom he worked. Dr. Peck has been assigned to several Hamilton Churches for to-morrow and the following Sunday.

To-morrow morning at 11 o'clock Mr. Peck will speak in the Church of Ascension, at 330 in St. Matthew's Church, he will address the massed Sunday Schools of St. Matthew's, St. Luke's, St. Philip's and St. Peter's, and in the evening he will speak at All Saint's Church.

A life and personality like Mr. Peck's are an inspiration to the missionary cause. This is his first visit to Hamilton.

Blotbs—"Guzzler" says: Bjones is a particular friend of his. "Blotbs"—"Non-sense. If Bjones was particular about his friends he wouldn't even know Guzzler."

PRINCE WAS KIND.

Looked After Man After He Had Run Him Down.

Berlin, Oct. 19.—Prince Eitel, second son of Emperor William, while riding with the princess in an automobile through the Tiergarten last night, knocked down a man on a bicycle. The prince immediately stopped, lifted the unconscious bicyclist into the auto, took him into the nearest police station and waited for his wounds to be dressed. After the man recovered consciousness it was ascertained that he was a brass finisher, named Sandke, and as he was able to be moved the prince made him re-enter the automobile and took the injured workman to the latter's home.